

Video Script on Deeds Registration Services

Characters

May – Solicitor

Mary – First-time Home Buyer

Duncan – Mary's Cousin

Subtitles

May: Mary, we have not seen each other for a long time.

Mary: Yes! Today my cousin comes with me to sign an agreement.

May: Have a seat. Mary, congratulations! You have finally saved enough money for the down payment. Do not worry. As a good friend, I will help you to complete the deeds properly. Now, let me explain to you about the sale and purchase agreement.

(May explains the agreement...)

May: That is it. If you have no question, please sign on the last page. After stamping, I will help you deliver the agreement to the Land Registry for registration.

Mary: Is not everything finished after signing the agreement? What else we need to do?

May: Not yet finished. I have to present the signed sale and purchase agreement to the Inland Revenue Department to pay stamp duty and get a stamp certificate. Then, I will deliver it to the Land Registry for registration so as to protect your interests. According to the Land Registration Ordinance, an instrument will only be given priority if it has been registered within a month upon execution. Otherwise, the unregistered instrument may be deemed as void under certain circumstances. After signing the assignment on the completion date, I will also present it for stamping and registration. Your name will then be shown on the land register as a property owner.

Mary: Duncan, May previously said that she would deliver the sale and purchase agreement as well as the assignment to the Land Registry for registration. She also mentioned about “priority”. As you are working in that department, can you explain what “priority” is?

Duncan: Sure. Currently, Hong Kong is now operating a Deeds Registration System. According to the Land Registration Ordinance, an instrument that is registered in the Land Registry within a month after its execution shall have priority over other instruments executed subsequently. In case of litigation concerning the property, the court will take the priority into consideration.

Mary: What other purposes do deeds registration serve?

Duncan: We will record the registered instrument on the relevant land register to reflect the interest of the property owner. As May said, the land register will show that you are the registered owner of the property.

Mary: That is why buyers usually conduct land searches to check the titles and transaction records before purchasing a property. I did that too.

Duncan: You are so smart. As the former property owner has registered the instruments, the prospective buyers can check the relevant land records.

Mary: As the registration of instruments is so important, should I lodge everything for registration, including my mortgage loan repayment statements in future? That will be perfectly safe.

Duncan: Not all instruments can be registered. Only those instruments that affect land in Hong Kong and comply with the Land Registration Ordinance and Land Registration Regulations can be registered.

Mary: It is so rigorous. Generally speaking, how long will the registration of an instrument be completed after lodgement?

Duncan: It will take about 15 working days in general.

Mary: If my deed will only be given priority after registration within one month after its execution, will the time taken for the processing of registration be counted?

Duncan: According to the Land Registration Regulations, the date of registration of an instrument is determined by the date of our receipt of the instrument. In fact, the registration of an instrument involves many procedures. Let me briefly explain to you.

Duncan: Firstly, the solicitor firm has to lodge your deed with a completed memorial and the fee for registration at our deeds lodgement counter.

Duncan: Our staff will input the key data of the memorial into a computer system on the same day. Such key data of the instrument will be shown under the “Deeds Pending Registration” section of the land register on the following day.

Duncan: Then our staff will check the instrument and the memorial to ensure that they are in compliance with the requirements of the Land Registration Ordinance and Land Registration Regulations before registering the instrument on the land register.

Mary: Will the whole registration process be completed after the collection of registered instrument by May or me?

Duncan: Not yet. There comes the last step. After registration, the instrument will be imaged at the Central Imaging Centre with advanced imaging technology for storage in a computer system. Afterwards, the instrument will be returned to May’s solicitor firm.

Mary: Now I understand the Land Registry really plays a very important role in the sale and purchase of properties in Hong Kong. It is great to have you here today. I use tea in place of wine for toasting to you. Cheers!